

EXHIBIT 3

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

TQ DELTA, LLC., (CAUSE NO. 2:21-CV-310-JRG
)
Plaintiff, ()
vs. ()
COMMSCOPE HOLDING COMPANY, ()
INC., et al., () MARSHALL, TEXAS
(MARCH 24, 2023
Defendants.) 8:00 A.M.

VOLUME 6

TRIAL ON THE MERITS

BEFORE THE HONORABLE RODNEY GILSTRAP
UNITED STATES CHIEF DISTRICT JUDGE

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THE COURT: Be seated, please.

1 patented invention, including the utility and advantages of
2 the patent over the old modes or devices, if any, that had
3 been used to achieve similar results.

4 Now, a patentee is not entitled to damages for any
5 infringement committed more than six years prior to the filing
6 of the claim for infringement. In this case, the damages
7 period commences on August the 13th, 2015, six years prior to
8 the date on which TQ Delta filed its complaint in this case.
9 No damages can be awarded for any infringement that occurred
10 before the date that the asserted patents were issued. Where
11 you find that an asserted claim is both infringed and not
12 invalid, you may not award damages for activities occurring
13 before the damages period begins.

14 A patentee is not entitled to damages after the
15 expiration of an asserted patent. The '008 Patent expired on
16 November the 9th, 2020, and the '354 Patent expired on April
17 the 18th, 2021. Therefore, the damages period for the '008
18 Patent ended on November the 9th, 2020, and the damages period
19 for the '354 Patent ended on April the 18th, 2021.

20 With regard to the Defendants' alleged breach of contract
21 claim against the Plaintiff, the Defendants CommScope bear the
22 burden of proving their breach of contract claim by a
23 preponderance of the evidence. CommScope contends that TQ
24 Delta breached its contract with the ITU to grant licenses to
25 standard essential patents held by TQ Delta on FRAND terms and

1 I HEREBY CERTIFY THAT THE FOREGOING IS A
2 CORRECT TRANSCRIPT FROM THE RECORD OF
3 PROCEEDINGS IN THE ABOVE-ENTITLED MATTER.
4 I FURTHER CERTIFY THAT THE TRANSCRIPT FEES
5 FORMAT COMPLY WITH THOSE PRESCRIBED BY THE
6 COURT AND THE JUDICIAL CONFERENCE OF THE
7 UNITED STATES.

8
9 S/Shawn McRoberts

03/24/2023

10 _____ DATE _____
11 SHAWN McROBERTS, RMR, CRR
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